Paul Hastings

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APR 1 4 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY CP DEPUTY

(858) 720-2524
christianplatt@paulhastings.com

April 14, 2008

73797.00002

07 CV 2406 IEG RBB

VIA HAND DELIVERY

Office of the Clerk
Attn: W. Samuel Hamrick, Jr.
United States District Court
for the Southern District of California
880 Front Street, Suite 4290
San Diego, CA 92101-8900

Re: Request for Service of Process on Defendant Advanced Security, Inc., in *DEI Headquarters, Inc. v. Auto Page, Inc. and Advanced Security Inc.*., Case 3:07-cv-02406-IEG-RBB

Dear Mr. Hamrick,

We represent the plaintiff, DEI Headquarters, Inc., in the above-captioned case. We write to respectfully request the assistance of the Office of the Clerk in perfecting international service of process upon Taiwanese defendant Advanced Security, Inc. pursuant to Fed. R. Civ. P. 4(f)(2)(C)(ii).

Rule 4(f) provides in relevant part, that "unless prohibited by the law of the foreign country" and so long as service is "reasonably calculated to give notice," service may be affected by "any form of mail requiring a signed receipt, to be addressed and dispatched ***by the clerk of the court*** to the party to be served." Fed. R. Civ. P. 4(f)(2)(C)(ii) (emphasis added). Federal courts in California have held that sending the complaint and summons via express mail pursuant to Rule 4(f)(2)(C)(ii) is a proper procedure for perfecting service upon defendants that are located in Taiwan. *See Power Integrations, Inc., v. System General Corp.*, No. C 04-02581, 2004 U.S. Dist. LEXIS 25414, *10 (N.D. Cal. Dec. 7, 2004); *see also Fujitsu Limited v. Nanya Technology Corp.*, No. C 06-6613, 2007 U.S. Dist. LEXIS 13132, *14 (N.D. Cal. Feb. 9, 2007).

Accordingly, we respectfully request that you take the necessary steps to affect service in this matter using the United States Postal Service's Global Express Guaranteed mail. We have enclosed for service on defendant Advanced Security, Inc.: (1) one copy of the Complaint; and (2) one summons. We have also separately enclosed the appropriate Global Express Guaranteed mail forms pre-completed for defendant Advanced Security, Inc., along with a Global Express Guaranteed mail packaging envelope. In the event that

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you prefer to fill out these mail forms yourself, we have included additional blank forms for you to use.

Service should be attempted at the following address:

Advanced Security, Inc.
Attn: Michael Chen
3F, 48 Ta-An Street
His-Chih Taipei Hsien
Taiwan R.O.C.

It is our understanding the Global Express Guaranteed mail packaging envelope will need to be submitted to the United States Post Office for delivery. Should you prefer to have our courier deliver the package to the Post Office on your behalf, please dispatch the courier to the Post Office after the packaging envelope has been sealed for delivery.

Once the Post Office notifies us that delivery to Advanced Security, Inc., has been accomplished, we will assemble the appropriate proof of service and file it with the Court. Finally, we respectfully request that you also provide an appropriate docket entry through the Court's ECF system reflecting this request to the Clerk to perfect service. We have provided an example of such an entry below:

> 4/14/2008 Pursuant to the request of Plaintiff DEI Headquarters under Fed. R. Civ. P. 4(f)(2)(C)(ii), the Clerk of the Court addressed and dispatched a Global Express Guaranteed mail package containing a Complaint and Summons directed to Advanced Security, Inc.

Finally, please do not hesitate to contact me at the above number if you have questions or concerns. Thank you for your assistance.

Very truly yours,

S. Christian Platt
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

GLOBAL EXPRESS GUARANTEED
UNITED STATES POSTAL SERVICE ®

International delivery by FedEx Express

FedEx® Express

GXG International Air Waybill

1 From *Please print and press hard.*

Date MM/DD/YY

Sender's Name W. Samuel Hamrick, Jr. Phone 619-557-5600

Company Clerk, USDC- on behalf of Paul Hasting

Address 3759 Valley Centre Drive

Address

City San Diego State CA

Country U.S. ZIP Code™ 92130

2 To

Recipient's Name Michael Cohen Phone

Company Advanced Security, Inc Fax (if applicable)

Address 3F, 48 Ta-An Street Dept./Floor

Address

City His-Chih Taipei Hsien State Province

Country Taiwan R.O.C. ZIP Code™ Postal Code

Recipient's Tax ID Number for Customs Purposes (if applicable)
e.g. GST/RFC/VAT/IN/ABN.

3 Shipment Information

☑ **Documents** Correspondence and printed matter.

☐ **Non-Documents** All other items. Recipient may be required to pay import duties and taxes. This shipment may be subject to inspection.

Specific Description Including Number of Each Item (and harmonized code if known) REQUIRED	Country of Manufacture	Value for Customs (US $) REQUIRED
Complaint	US	

WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.

Total Value for Customs (US $)

4 Required Signature

I/We agree that the USPS terms and conditions (on the back of the Sender's Copy of this Air Waybill and in the Global Express Guaranteed Service Guide) and certain international treaties, including the Warsaw Convention, where applicable, apply and limit the liability of USPS and FedEx for loss and damage. I/We understand that USPS and FedEx DO NOT TRANSPORT CASH. **I/We certify that this package does not contain any hazardous or restricted materials prohibited by postal regulations and does not require the filing of Electronic Export Information/EEI (formerly Shipper's Export Declaration/SED), and that the particulars given in the Shipment Information section are as declared.** Submission of false information may result in civil or criminal penalties (18 USC 1001, 31 USC 3802).

Sender's Signature:

Postal Use Only	Date In MM/DD/YY	Time In ☐ AM ☐ PM	Scheduled Delivery Date MM/DD/YY	PO ZIP (+4) Code	Employee Initials
Dimensions in Inches (Non-Document Shipments) Length Width Height	Weight lbs. oz.	Postage $	Insurance Fee $	Total Postage & Fees $	
Packaging ☐ GXG Envelope or Pak	Customer Packaging ☐ Box ☐ Envelope ☐ Other				

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For tracking go to the USPS Web site at
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GLOBAL EXPRESS GUARANTEED
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International delivery by FedEx Express

FedEx Express

GXG International Air Waybill

1 From *Please print and press hard.*

Date MM/DD/YY

Sender's Name W. Samuel Hamrick, Jr. Phone 619-557-5600

Company Clerk, USDC - on behalf of Paul Hasting

Address 3759 Valley Centre Drive

Address

City San Diego State CA

Country U.S. ZIP Code™ 92130

2 To

Recipient's Name

Phone

Company

Fax (if applicable)

Address

Dept./Floor

Address

City

State Province

Country

ZIP Code™ Postal Code

Recipient's Tax ID Number for Customs Purposes (if applicable)
e.g., GST/RFC/VAT/IN/ABN.

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Sender's Signature:

Postal Use Only	Date In MM/DD/YY	Time In ☐ AM ☐ PM	Scheduled Delivery Date MM/DD/YY	PO ZIP (+4) Code	Employee Initials
Dimensions in Inches (Non-Document Shipments) Length Width Height	Weight ___ lbs. ___ oz.	Postage $	Insurance Fee $	Total Postage & Fees $	
Packaging ☐ GXG Envelope or Pak	Customer Packaging ☐ Box ☐ Envelope ☐ Other				

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GLOBAL EXPRESS GUARANTEED
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GXG International Air Waybill

International delivery by FedEx Express

FedEx® Express

1 From *Please print and press hard.*

Date MM/DD/YY

Sender's Name ______ Phone ______

Company ______

Address ______

Address ______

City ______ State ______

Country ______ ZIP Code™ ______

2 To

Recipient's Name ______ Phone ______

Company ______ Fax (if applicable) ______

Address ______ Dept./Floor

Address ______

City ______ State Province ______

Country ______ ZIP Code™ Postal Code ______

Recipient's Tax ID Number for Customs Purposes (if applicable)
e.g., GST/RFC/VAT/IN/ABN.

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Specific Description Including Number of Each Item (and harmonized code if known) REQUIRED	Country of Manufacture	Value for Customs (US $) REQUIRED
WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.	**Total Value for Customs (US $)**	

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Sender's Signature: ______

Postal Use Only	Date In	Time In	Scheduled Delivery Date	PO ZIP (+4) Code	Employee Initials
	M M / D D / Y Y	☐ AM ☐ PM	M M / D D / Y Y		

Dimensions in Inches (Non-Document Shipments)	Weight	Postage	Insurance Fee	Total Postage & Fees
Length Width Height	___ lbs. ___ oz.	$	$	$

Packaging: ☐ GXG Envelope or Pak
Customer Packaging: ☐ Box ☐ Envelope ☐ Other ______

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